

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

MIAMI HOME, LLC,

Plaintiff,

-against-

SALMA AHMED, SHAH ALAM,
CRIMINAL COURT OF THE CITY
OF NEW YORK, CITY OF NEW
YORK DEPARTMENT OF
TRANSPORTATION PARKING
VIOLATIONS BUREAU, CITY
OF NEW YORK ENVIRONMENTAL
CONTROL BOARD, and TRANSIT
ADJUDICATION BUREAU,

Defendants.

MEMORANDUM AND ORDER

Case No. 22-CV-1607 (FB) (JRC)

Appearances:

For the Plaintiff:

ALAN H. WEINREB
Margolin, Weinreb & Nierer, LLP
165 Eileen Way, Suite 101
Syosset, NY 11791

For the Defendants:

SALMA AHMED, *pro se*
SHAH ALAM, *pro se*
33-52 59th Street
Woodside, NY 11377

BLOCK, Senior District Judge:

Defendant-Borrowers Salma Ahmed and Shah Alam requested that the Court either set aside the Judgment of Foreclosure and Sale of their home pursuant to Federal Rule of Civil Procedure 60(b), or, in the alternative, grant them the

opportunity to prepare a more formal motion and appear at a conference with the Court. During a telephone conference on August 23, 2023, the Court encouraged the parties to reach a voluntary accommodation before the scheduled auction on August 24, 2023. However, after extensively discussing the possibility of reaching an accommodation, the parties were unable to reach an agreement. Having considered the three legal factors to determine whether to vacate a default judgment, *see Am. All. Ins. Co. v. Eagle Ins. Co.*, 92 F.3d 57, 59 (2d Cir. 1996), the Court finds no legal basis for setting aside the Judgment of Foreclosure and Sale. The Defendants' request is denied.

SO ORDERED.

/S/ Frederic Block
FREDERIC BLOCK
Senior United States District Judge

Brooklyn, New York
August 23, 2023